

Theodore J Piteo, OSB# 090311  
Michael D. O'Brien & Associates, P.C.  
12909 SW 68<sup>th</sup> Pkwy, Suite 160  
Portland, OR 97223  
Phone: (503) 786-3800

Of Attorneys for Kirk Freeland and Tammy Freeland, Debtors.

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF OREGON

In re:

Kirk Freeland &  
Tammy Freeland

Debtors.

Case No. 19-32309-pcm7

MOTION FOR ORDER OF CONTEMPT

11 U.S.C. § 362

11 U.S.C. § 105(a)

Oral Argument and Evidentiary Hearing  
Requested

Pursuant to 11 U.S.C. §§ 105 & 362, Debtors, through their trial attorney, Theodore Piteo, move this Court for an order holding Verizon Wireless ("Creditor") in contempt of the Automatic Stay.

Debtors pray for:

1. An Order holding Creditor in civil contempt;
2. An award of compensatory damages in the amount of \$10,000;
3. An award of mild deterrent sanctions not to exceed \$5,000;
4. An award of the reasonable attorney's fees and costs necessary to prosecute the motion;

5. Such other equitable relief as may be warranted in the interests of justice.

Debtors support this Motion with the attached memorandum, declaration and exhibits.

Dated: November 5<sup>th</sup>, 2019:

/s/ Theodore J Piteo  
Theodore J Piteo, OSB# 090311  
Michael D. O'Brien & Associates, P.C.  
Of Attorneys for Debtor

Theodore J Piteo, OSB# 090311  
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UNITED STATES BANKRUPTCY COURT  
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In re:

Kirk Freeland &  
Tammy Freeland  
  
Debtors.

Case No. 19-32309-pcm7

MEMORANDUM IN SUPPORT OF  
MOTION FOR ORDER OF CONTEMPT

Debtors move this Court for an Order of Contempt against Verizon Wireless ("Creditor") and this attached Memorandum shall be made a part of said Motion to substantiate the required elements under Fed R. Bnkr. P. 9020 and 9014 governing Contested Matters.

**INTRODUCTION**

This action arises from willful automatic stay violations committed by Creditor in attempting to continue collections against the Debtors after it received the Notice of Filing, see attached Exhibit A. Debtors have suffered harm to their fresh start recovery through the willful actions of Creditor. Creditor's harassment is *per se* intentional and occurred after they had prior notice of Debtors' bankruptcy filing.

**FACTUAL ALLEGATIONS**

**I. Case Filing and Discharge Injunction**

On June 21, 2019, Debtors commenced a chapter 7 bankruptcy case in this Court and were assigned the above case number. Debtors' bankruptcy paperwork listed Creditor as a holder

of an unsecured debt and holder of a rejected executory contract (the “Debt”). Creditor was served electronically via EDI. *See* Exhibit A. Creditor received that notice.

## **II. Creditor’s Intentional Violations**

Despite the Debtors listing the Debt in their schedules, the Court having sent notice of the filing to Creditor and Creditor calling the Debtors who advised Creditor of the bankruptcy filing, Creditor insists that the Debtor needs to pay a deficiency balance on their Debt. After the call, Creditor began to send multiple collection letters to the Debtors by mail to their residence. The most recent collection letter is attached as Exhibit B. As a result of the collection letters, Debtor suffered anxiety and excessive stress resulting in fear and doubt as to the effectiveness of the Bankruptcy Code and the power of this Court to preserve and perpetuate a fresh start.

## **LEGAL POINTS AND AUTHORITIES**

### **I. Legal Standard for Contempt**

To obtain an order of contempt for violation of a court order for relief, a debtor must prove that a party had knowledge of the order and intended the conduct that violated the order. *See, e.g., ZiLOG, Inc. v. Corning*, 450 F.3d 996, 1007 (9th Cir. 2006). A party with knowledge of the Bankruptcy is charged with knowledge of the Automatic Stay. *Id.* To recover sanctions against a creditor for violation of the automatic stay, a debtor must establish the violation with clear and convincing evidence. *Renwick v. Bennett*, 298 F.3d 1059, 1069 (9th Cir. 2002).

A contempt proceeding in bankruptcy court is properly brought by motion. *Barrientos v. Wells Fargo Bank*, 633 F.3d 1186, 1191 (9th Cir. 2011); Fed. R. Bnkr. P. 9020.

### **II. Remedies under Sections 105 and 362**

11 U.S.C. § 105 empowers bankruptcy courts to award debtors compensatory civil contempt remedies for violations of the discharge injunction even without a showing of willfulness. These remedies include an order of contempt, compensatory damages, attorney’s

fees and costs, and mild sanctions. *See, e.g., Knupfer v. Lindblade (In re Dyer)*, 322 F.3d 1178, 1193 (9th Cir. 2003); *Walls v. Wells Fargo Bank*, 276 F.3d 502, 507 (9th Cir. 2002). Punitive damages are also available in situations of egregious conduct. 11 U.S.C. § 362(k).

## **ARGUMENT**

### **I. Clear and Convincing Evidence Establishes Creditor is in Contempt**

This Court should hold Creditor in civil contempt because the elements of civil contempt are met, as (1) Creditor received actual written and verbal notices of the bankruptcy filing, (2) the terms of the automatic stay are unambiguous and fixed by statute (3) Creditor intentionally continued collections and harassed, and annoyed the Debtor by sending collection letters and making collection calls.

### **II. Debtor Should be Awarded Compensatory Damages, Attorney's Fees, Costs, and Mild Sanctions**

Debtor should be awarded actual and compensatory damages in the estimated amount of \$10,000 for economic loss and emotional harm; reimbursement of their reasonable attorney's fees and costs necessary to prosecute this matter; and, further, this Court should mildly sanction Creditor in an amount not to exceed \$5,000 so it becomes profitable for it to implement procedures that will avoid these types of violations in the future.

## **CONCLUSION**

For the reasons stated above, Debtors request an evidentiary hearing, so they may prove liability, damages and justify mild sanctions.

Dated: November 5<sup>th</sup>, 2019:

/s/ Theodore J Piteo  
Theodore J Piteo, OSB# 090311  
Michael D. O'Brien & Associates, P.C.  
Of Attorneys for Debtor

Theodore J Piteo, OSB# 090311  
Michael D. O'Brien & Associates, P.C.  
12909 SW 68<sup>th</sup> Pkwy, Suite 160  
Portland, OR 97223  
Phone: (503) 786-3800

Of Attorneys for Kirk Freeland and Tammy Freeland, Debtors.

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF OREGON

In re:

Kirk Freeland &  
Tammy Freeland

Debtors.

Case No. 19-32309-pcm7

DECLARATION OF DEBTOR IN  
SUPPORT OF MOTION FOR ORDER  
OF CONTEMPT

We, Kirk Freeland & Tammy Freeland, being first duly sworn, depose and say under penalty of perjury:

1. We are the Debtors herein and we have personal knowledge of the facts testified hereto.
1. We listed Verizon Wireless ("Creditor") on my bankruptcy schedule E/F with a mailing address: Verizon Wireless, Bankruptcy Administration -Notices, 500 Technology Drive, #550, Weldon Springs, MO 63304-2225. This is an address Creditor provides to the Oregon State Bar and to us on its billing notices.
2. We also listed Creditor on Schedule G. and declared that we were rejecting the service contract we had with Creditor prior to filing a Chapter 7 bankruptcy on June 21, 2019.
3. Despite listing Creditor in my bankruptcy, they have called and sent multiple billing notices directly to us at our residence. A true and correct copy of Creditor's most recent collection letter is attached as Exhibit B.

4. The collection notices from the Creditor caused us to suffer stress and anxiety about whether we would perhaps have to pay this bill. We thought that once we filed bankruptcy and obtained our discharge it would finally end, but Verizon Wireless keeps trying to collect. We thought that our attorney had taken care of everything, but it seemed like maybe Creditor didn't have to follow the rules or our filing didn't apply to them because they just kept attempting to collect from us despite what our attorney told us and despite knowing about our bankruptcy filing.

Date: November 1, 2019

/s/Kirk Freeland  
Kirk Freeland, Debtor

Date: November 1, 2019

/s/Tammy Freeland  
Tammy Freeland, Debtor

United States Bankruptcy Court  
District of Oregon

In re:  
Kirk Freeland  
Tammy Freeland  
Debtors

Case No. 19-32309-pcm  
Chapter 7

**CERTIFICATE OF NOTICE**

District/off: 0979-3

User: Admin.  
Form ID: 309A

Page 1 of 2  
Total Noticed: 54

Date Rcvd: Jun 21, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 23, 2019.

db/jdb +Kirk Freeland, Tammy Freeland, 11218 SW Horny Hollow Trail, Terrebonne, OR 97760-7622  
smg +Dept of Justice, Division of Child Support, Attn: Bankruptcy Unit, POB 14670,  
Salem, OR 97309-5013  
smg +US Attorney General, Department of Justice, 10th & Constitution NW,  
Washington, DC 20530-0001  
101936464 +Account Management Resources, 726 West Sheridan Avenue, Oklahoma City, OK 73102-2412  
101936465 +Advantis Hospital, 2615 Chester Ave, Bakersfield, CA 93301-2014  
101936466 +Amerititle - Larry & Jo Gallagher, 15 NW Oregon Ave, Bend, OR 97703-2788  
101936467 +Arroyo Grande Hospital, 345 S Halcyon Rd, Arroyo Grande, CA 93420-3899  
101936468 +Attorney David Schumacher, 3439 NE Sandy Blvd, #239, Portland, OR 97232-1959  
101936472 +Central Oregon Pathology Consultants, 1348 NE Cushing Dr., Bend, OR 97701-3876  
101936475 +Citibank/The Home Depot, Attn: Recovery/Centralized Bankruptcy, Po Box 790034,  
St Louis, MO 63179-0034  
101936477 +Credit Assoc, 358 Ne Marshall Suite 2, Bend, OR 97701-4364  
101936478 +Credit Associates, Inc., Bankruptcy Notices, 358 NE Marshall Ave #2, Bend, OR 97701-4364  
101936480 +EOS-CCA, Attn: Bankruptcy, 700 Longwater Dr., Norwell, MA 02061-1624  
101936481 +EOS-CCA, Po Box 981025, Boston, MA 02298-1025  
101936482 +Epic Glass, 3365 Washburn Way, Klamath Falls, OR 97603-4529  
101936484 +Financial Data Systems, 300 E Arlington Bd, Greenville, NC 27858-5037  
101936483 +Financial Data Systems, Attn: Bankruptcy, Po Box 688, Wrightsville Beach, NC 28480-0688  
101936485 +Green Truck financial, 921 Cornwall Ave, Bellingham, WA 98225-5030  
101936490 +Mercy SW Hospital, 400 Old River Rd, Bakersfield, CA 93311-9781  
101936492 +Midland Funding, 350 Camino De La Reina S, San Diego, CA 92108-3007  
101936497 +Sears -Citibank Card Services, Bankruptcy Department, PO Box 6248,  
Sioux Falls, SD 57117-6248  
101936498 +St. Charles Medical Center, Attn: Legal Dept., 2500 NE Neff Rd., Bend, OR 97701-6015  
101936499 +Stillwater Medical Center, Central Business Office, 1201 S. Adams Street,  
Stillwater, OK 74074-5476  
101936504 +USDOE/GLELSI, 2401 International Lane, Madison, WI 53704-3121  
101936503 +USDOE/GLELSI, Attn: Bankruptcy, Po Box 7860, Madison, WI 53707-7860

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

aty E-mail/Text: ted@pdxlegal.com Jun 22 2019 01:38:15 THEODORE J PITEO,  
Michael D. O'Brien & Associates, 12909 SW 68th Pkwy, Suite 160, Portland, OR 97223  
tr +EDI: QAEMITCHELL.COM Jun 22 2019 05:38:00 Amy E Mitchell, POB 2289,  
Lake Oswego, OR 97035-0074  
smg EDI: ORREV.COM Jun 22 2019 05:38:00 ODR Bkcy, 955 Center NE #353, Salem, OR 97301-2555  
smg +E-mail/Text: usaor.bankruptcy@usdoj.gov Jun 22 2019 01:39:02 US Attorney, US Attorney,  
1000 SW 3rd Ave #600, Portland, OR 97204-2936  
ust +E-mail/Text: ustpregion18.pl.ecf@usdoj.gov Jun 22 2019 01:38:32 US Trustee, Portland,  
620 SW Main St #213, Portland, OR 97205-3026  
101936469 +EDI: TSYS2.COM Jun 22 2019 05:38:00 Barclay Card Services, Bankruptcy Dept.,  
PO Box 8801, Wilmington, DE 19899-8801  
101936471 +EDI: CAPITALONE.COM Jun 22 2019 05:38:00 Capital One, Po Box 30281,  
Salt Lake City, UT 84130-0281  
101936470 +EDI: CAPITALONE.COM Jun 22 2019 05:38:00 Capital One, Attn: Bankruptcy, Po Box 30285,  
Salt Lake City, UT 84130-0285  
101936473 +EDI: CHASE.COM Jun 22 2019 05:38:00 Chase Card Services, Attn: Bankruptcy, Po Box 15298,  
Wilmington, DE 19850-5298  
101936474 +EDI: CHASE.COM Jun 22 2019 05:38:00 Chase Card Services, Po Box 15298,  
Wilmington, DE 19850-5298  
101936476 +EDI: CITICORP.COM Jun 22 2019 05:38:00 Citibank/The Home Depot, Po Box 6497,  
Sioux Falls, SD 57117-6497  
101936479 EDI: DIRECTV.COM Jun 22 2019 05:38:00 DirectTV, LLC, Attn: Bankruptcy Notices,  
PO Box 6550, Greenwood Village, CO 80155-6550  
101936486 EDI: IRS.COM Jun 22 2019 05:38:00 Internal Revenue Service, Bankruptcy Notices,  
PO Box 7346, Philadelphia, PA 19101-7346  
101936487 E-mail/Text: bknotificationdistribution@jhccapitalgroup.com Jun 22 2019 01:39:12  
JH Portfolio Debt Equities, Bankruptcy Notice, 5757 Phantom Drive, Suite 225,  
Hazelwood, MO 63042-2429  
101936488 +E-mail/Text: ZyCredit.A.User@lesschwab.com Jun 22 2019 01:38:52 Les Schwab Tire Center,  
20900 Cooley Road, Bend, OR 97701-3406  
101936489 +E-mail/Text: jmeade@mercerc-trans.com Jun 22 2019 01:38:17 Mercer Transportation,  
1128 West Main Street, Louisville, KY 40203-1400  
101936491 +EDI: MID8.COM Jun 22 2019 05:38:00 Midland Funding, 2365 Northside Dr Ste 300,  
San Diego, CA 92108-2709  
101936493 +EDI: AGFINANCE.COM Jun 22 2019 05:38:00 OneMain Financial, Attn: Bankruptcy,  
601 Nw 2nd St #300, Evansville, IN 47708-1013  
101936494 +EDI: AGFINANCE.COM Jun 22 2019 05:38:00 OneMain Financial, Po Box 1010,  
Evansville, IN 47706-1010  
101936495 EDI: ORREV.COM Jun 22 2019 05:38:00 Oregon Department Of Revenue, Bankruptcy Notice Dept.,  
955 Center Street, NE, Salem, OR 97301-2555  
101936496 EDI: PRA.COM Jun 22 2019 05:38:00 Portfolio Recovery, 120 Corporate Blvd Ste 1,  
Norfolk, VA 23502

**Exhibit A - Page 1 of 5**

Case 19-32309-pcm-7 Doc 18 Filed 06/25/19

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

101936500	EDI: RMSC.COM Jun 22 2019 05:38:00	SYNCB / CARE CREDIT,	Attn: Bankruptcy Dept,
	PO BOX 965061, Orlando, FL 32896-5061		
101936501	+EDI: RMSC.COM Jun 22 2019 05:38:00	Synchrony Bank/Walmart,	Attn: Bankruptcy,
	Po Box 965060, Orlando, FL 32896-5060		
101936502	+EDI: RMSC.COM Jun 22 2019 05:38:00	Synchrony Bank/Walmart,	Po Box 965024,
	Orlando, FL 32896-5024		
101936505	+EDI: VERIZONCOMB.COM Jun 22 2019 05:38:00	Verizon Wireless,	
	Bankruptcy Administration -Notices,	500 Technology Drive, #550,	
	Weldon Springs, MO 63304-2225		
101936506	EDI: WFFC.COM Jun 22 2019 05:38:00	Wells Fargo Bank Ia N,	Attn: Bankruptcy Dept,
	Po Box 6429, Greenville, SC 29606		
101936507	+EDI: WFFC.COM Jun 22 2019 05:38:00	Wells Fargo Bank Ia N,	P.O. Box 94435,
	Albuquerque, NM 87199-4435		
101936508	+EDI: WFFC.COM Jun 22 2019 05:38:00	Wells Fargo Bank NA,	Attn: Bankruptcy,
	1 Home Campus Mac X2303-01a, Des Moines, IA 50328-0001		
101936509	EDI: WFFC.COM Jun 22 2019 05:38:00	Wells Fargo Bank NA,	Credit Bureau Dispute Resoluti,
	Des Moines, IA 50306		

TOTAL: 29

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Jun 23, 2019

Signature: /s/Joseph Speetjens

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 21, 2019 at the address(es) listed below:

NONE.

TOTAL: 0

**Information to identify the case:**

Debtor 1: Kirk Freeland  
 First Name Middle Name Last Name  
 Social Security number or ITIN: xxx-xx-7757  
 EIN: --\_-----

Debtor 2: Tammy Freeland  
 (Spouse, if filing) First Name Middle Name Last Name  
 Social Security number or ITIN: xxx-xx-0687  
 EIN: --\_-----

United States Bankruptcy Court: District of Oregon Date case filed for chapter: 7 6/21/19

Case number: 19-32309-pcm7

**Official Form 309A (For Individuals or Joint Debtors)****Notice of Chapter 7 Bankruptcy Case -- No Proof of Claim Deadline**

12/15

For the debtors listed above, a case has been filed under chapter 7 of the Bankruptcy Code. An order for relief has been entered.

This notice has important information about the case for creditors, debtors, and trustees, including information about the meeting of creditors and deadlines. Read all pages carefully.

The filing of the case imposed an automatic stay against most collection activities. This means that creditors generally may not take action to collect debts from the debtors or the debtors' property. For example, while the stay is in effect, creditors cannot sue, garnish wages, assert a deficiency, repossess property, or otherwise try to collect from the debtors. Creditors cannot demand repayment from debtors by mail, phone, or otherwise. Creditors who violate the stay can be required to pay actual and punitive damages and attorney's fees. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although debtors can ask the court to extend or impose a stay.

The debtors are seeking a discharge. Creditors who assert that the debtors are not entitled to a discharge of any debts or who want to have a particular debt excepted from discharge may be required to file a complaint in the bankruptcy clerk's office within the deadlines specified in this notice. (See line 9 for more information.)

To protect your rights, consult an attorney. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below or through PACER (Public Access to Court Electronic Records at [www.pacer.gov](http://www.pacer.gov)).

The staff of the bankruptcy clerk's office cannot give legal advice.

To help creditors correctly identify debtors, debtors submit full Social Security or Individual Taxpayer Identification Numbers, which may appear on a version of this notice. However, the full numbers must not appear on any document filed with the court.

Do not file this notice with any proof of claim or other filing in the case. Do not include more than the last four digits of a Social Security or Individual Taxpayer Identification Number in any document, including attachments, that you file with the court.

	About Debtor 1:	About Debtor 2:
1. Debtor's full name	Kirk Freeland	Tammy Freeland
2. All other names used in the last 8 years		
3. Address	11218 SW Horny Hollow Trail Terrebonne, OR 97760	11218 SW Horny Hollow Trail Terrebonne, OR 97760
4. Debtor's attorney Name and address	THEODORE J PITEO Michael D. O'Brien & Associates 12909 SW 68th Pkwy Suite 160 Portland, OR 97223	Contact phone (503) 786-3800
5. Bankruptcy trustee Name and address	Amy E Mitchell POB 2289 Lake Oswego, OR 97035	Contact phone (503) 675-9955

For more information, see pages 2 & 3 >

<b>6. Bankruptcy clerk's office</b>  Documents in this case may be filed at this address. You may inspect all records filed in this case at this office or online at <a href="http://www.pacer.gov">www.pacer.gov</a> .	1050 SW 6th Ave. #700 Portland, OR 97204	Office Hours 9:00 a.m. – 4:30 p.m.  Contact phone 503-326-1500  Date: 6/21/19
<b>7. Meeting of creditors</b>  Debtors must attend the meeting to be questioned under oath. In a joint case, both spouses must attend. Creditors may attend, but are not required to do so.	<b>July 29, 2019 at 02:00 PM</b>  The meeting may be continued or adjourned to a later date. If so, the date will be on the court docket. Photo ID is required. Debtors must also provide proof of reported social security numbers (for example, social security card; medical insurance card; pay stub; W-2 form; IRS form 1099; or Social Security Admin.report).	Location:  <b>Bend Juvenile Justice Building,          Dennis Maloney Community          Justice Center, 63360 NW Britta          Street, Building 1, Bend, OR          97701</b>
<b>8. Presumption of abuse</b>  If the presumption of abuse arises, you may have the right to file a motion to dismiss the case under 11 U.S.C. § 707(b). Debtors may rebut the presumption by showing special circumstances.	The presumption of abuse does not arise.	
<b>9. Deadlines</b>  The bankruptcy clerk's office must receive these documents and any required filing fee by the following deadlines. See line 13 for other important deadlines.	<div style="display: flex; justify-content: space-between;"> <div style="width: 60%;"> <b>File by the deadline to object to discharge or to challenge whether certain debts are dischargeable:</b>   <b>You must file a complaint:</b> <ul style="list-style-type: none"> <li>• if you assert that the debtor is not entitled to receive a discharge of any debts under any of the subdivisions of 11 U.S.C. § 727(a)(2) through (7), or</li> <li>• if you want to have a debt excepted from discharge under 11 U.S.C § 523(a)(2), (4), or (6).</li> </ul> <b>You must file a motion:</b> <ul style="list-style-type: none"> <li>• if you assert that the discharge should be denied under § 727(a)(8) or (9).</li> </ul> </div> <div style="width: 35%;"> <b>Filing deadline: 9/27/19</b> </div> </div> <hr/> <div style="display: flex; justify-content: space-between;"> <div style="width: 60%;"> <b>Deadline to object to exemptions:</b>            The law permits debtors to keep certain property as exempt. If you believe that the law does not authorize an exemption claimed, you may file an objection.         </div> <div style="width: 35%;"> <b>Filing deadline:</b> 30 days after the conclusion of the meeting of creditors         </div> </div>	
<b>10. Proof of claim</b>  Please do not file a proof of claim unless you receive a notice to do so.	No property appears to be available to pay creditors. Therefore, please do not file a proof of claim now. If it later appears that assets are available to pay creditors, the clerk will send you another notice telling you that you may file a proof of claim and stating the deadline.	
<b>11. Creditors with a foreign address</b>	If you are a creditor receiving a notice mailed to a foreign address, you may file a motion asking the court to extend the deadlines in this notice. Consult an attorney familiar with United States bankruptcy law if you have any questions about your rights in this case.	
<b>12. Exempt property</b>	The law allows debtors to keep certain property as exempt. Fully exempt property will not be sold and distributed to creditors. Debtors must file a list of property claimed as exempt. You may inspect that list at the bankruptcy clerk's office or online at <a href="http://www.pacer.gov">www.pacer.gov</a> . If you believe that the law does not authorize an exemption that the debtors claim, you may file an objection. The bankruptcy clerk's office must receive the objection by the deadline to object to exemptions in line 9.	

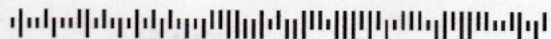
<b>13. Notices Re Proposed Dismissal of Case/Undue Hardship Presumption; and Abandonment of Debtor's Residence (Real Property)</b>	<p>This case may be dismissed without further prior notice if the debtors fail to complete the meeting of creditors, timely file any documents, or make fee payments ordered by the Court, unless within 21 days of the date in line 6 a party in interest files a written objection to dismissal, setting forth specific grounds, with the Court and sends copies to the debtors' attorney (or debtors if pro se) and trustee.</p> <p>Any presumption of undue hardship that may exist in a reaffirmation agreement filed by the debtors shall remain in effect until the effective date of any discharge order entered in this case unless a party in interest objects by <b>9/27/19</b>.</p> <p>At least 5 days prior to the date of the meeting of creditors, any party in interest who objects to abandonment of the debtors' residence (real property) must file with the Court a written objection and serve a copy on the debtors and debtors' attorney. If no timely objection is filed, the trustee can abandon the property at or after the meeting of creditors upon request of the debtors or mortgage creditor without any further notice requirement. Mortgage creditors are authorized to negotiate a loan modification with a debtor either before or after the meeting of creditors, but any modification reached cannot become effective until the property is abandoned. Mortgage creditors may use the procedure outlined in LBF 751.7, available at <a href="https://www.orb.uscourts.gov">https://www.orb.uscourts.gov</a>, to obtain such abandonment. A creditor's contact with the debtors and/or debtors' attorney to effect a modification shall not be considered a violation of the automatic stay of 11 USC §362. Negotiations with represented debtors must be with debtors' counsel who may consent to the creditor communicating directly with the debtors.</p>
<b>14. Trustee Appointment</b>	<p>The trustee named above is hereby appointed as interim trustee in this case. The trustee's bond shall be the blanket bond previously approved and filed with the U.S. Bankruptcy Court Clerk. UNITED STATES TRUSTEE</p>
<b>15. Court Information and Legal Advice</b>	<p>Court information is available at <a href="https://www.orb.uscourts.gov">https://www.orb.uscourts.gov</a>. For account numbers, etc. contact the debtor's attorney. Contact your own attorney with other questions and to protect your rights. The clerk's office staff is forbidden by law from giving legal advice.</p>



PO BOX 489  
NEWARK, NJ 07101-0489

Billing period  
Account number  
Invoice number

Sep 11, 2019 - Oct 10, 2019  
[REDACTED] 0001  
[REDACTED] 7125



KIRK FREELAND  
11218 SW HORNY HOLLOW TRL  
TERREBONNE, OR 97760-7622

00264863  
DC10

See last page for payment options.  
Questions? Visit [vzw.com/contactus](http://vzw.com/contactus)

**Hi Kirk, here's your bill for this month.**



Balance past due

\$201.54

Total due

**\$201.54**

**\$201.54 due immediately**



Billing period Sep 11, 2019 to Oct 10, 2019 | Account # [REDACTED] 0001 | Invoice # [REDACTED] 7125



## Balance past due

Previous balance	\$201.54
No payment received	\$0.00

**\$201.54**

Please pay immediately.

COLK700A 1154 5011 125 07 20191013 PG 1 OF 3  
00264863 34517400.16 0-1



## Additional information

### Customer Proprietary Network Information (CPNI)

CPNI is information made available to us solely by virtue of our relationship with you that relates to the type, quantity, destination, technical configuration, location, and amount of use of the telecommunications and interconnected VoIP services you purchase from us, as well as related billing information. The protection of your information is important to us, and you have a right, and we have a duty, under federal law, to protect the confidentiality of your CPNI.

We may use and share your CPNI among our affiliates and agents to offer you services that are different from the services you currently purchase from us. Verizon offers a full range of services, such as television, telematics, high-speed Internet, video, and local and long distance services. Visit [Verizon.com](http://Verizon.com) for more information on our services and companies.

If you don't want your CPNI used for the marketing purposes described above, please notify us by phone any time at 800.333.9956 or online at [vzw.com/myprivacy](http://vzw.com/myprivacy).

Unless you notify us in one of these ways, we may use your CPNI as described above beginning 30 days after the first time we notify you of this CPNI policy. Your choice will remain valid until you notify us that you wish to change your selection. Your decision about use of your CPNI will not affect the provision of any services you currently have with us.

Note: This CPNI notice does not apply to residents of the state of Arizona.

### Explanation of Surcharges

Surcharges include (i) a Regulatory Charge (which helps defray various government charges we pay including government number administration and license fees); (ii) a Federal Universal Service Charge (and, if applicable, a State Universal Service Charge) to recover charges imposed on us by the government to support universal service; and (iii) an Administrative Charge, which helps defray certain expenses we incur, including: charges we, or our agents, pay local telephone companies for delivering calls from our customers to their customers; fees and assessments on our network facilities and services; property taxes; and the costs we incur responding to regulatory obligations. **Please note that these are Verizon Wireless charges, not taxes. These charges, and what's included, are subject to change from time to time.**

### Bankruptcy Information

If you are or were in bankruptcy, this bill may include amounts for pre-bankruptcy charges. You should not pay pre-bankruptcy amounts; they are for your information only. In the event Verizon receives notice of a bankruptcy filing, pre-bankruptcy charges will be adjusted in future invoices. Mail bankruptcy-related correspondence to 500 Technology Drive, Suite 550, Weldon Spring, MO 63304.

### Late Payment Information

A late payment applies for unpaid balances. The charge is the greater of \$5 or 1.5% per month, or as permitted by law. Failure to pay bills on time may result in negative credit reporting.

### No-cost Feature Information

If your service plan includes an optional, no-cost feature (for example, some plans include a no-cost Apple Music option), electing this feature may affect the taxes, governmental fees, and governmental surcharges that we bill and collect, even though your service plan price does not change.

### FUSC Change

The Federal Universal Service Charge (FUSC) is a Verizon Wireless charge that is subject to change each calendar quarter based on contribution rates prescribed by the FCC. On October 1, the FUSC increased 7.08% percent of assessable wireless charges, other than separately billed interstate and international telecom charges. The FUSC on separately billed interstate and international telecom charges increased 25.00% percent. For more details, please call 1-888-684-1888.

### Regulatory Charge Decrease

Effective October 1, 2019, the monthly Verizon Wireless Regulatory Charge for voice-capable devices will decrease from \$0.17 to \$0.15 per line. The charge for data-only devices remains at \$0.02. For further information regarding this charge, review the "Explanation of Surcharges" section of this bill, or consult your wireless service agreement.



Billing period Sep 11, 2019 to Oct 10, 2019 | Account # [REDACTED] 0001 | Invoice # [REDACTED] 7125

## You've got options.

We have all sorts of ways to pay so that you can pick the one that's right for you.



### Pay with the My Verizon app

You can download the My Verizon app in both the App Store and Google Play.



### Pay online at vzw.com

Go to vzw.com and sign in to My Verizon to pay your bill online.



### Pay by phone: #PMT (#768)

Simply dial #PMT on your phone and follow the instructions to pay.



KIRK FREELAND  
11218 SW HORNY HOLLOW TRL  
TERREBONNE, OR 97760-7622

Bill date  
Account number  
Invoice number

October 10, 2019  
[REDACTED] 0001  
[REDACTED] 7125

### Total Amount Due

Make check payable to Verizon Wireless.  
Please return this remit slip with payment.

**\$201.54**

\$    .

PO BOX 660108  
DALLAS, TX 75266-0108

